

Notice of Allowability

Application No.

09/873,850

Examiner

Emerson C Puente

Applicant(s)

CORTEVILLE ET AL.

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 18 June 2004.
2. ☒ The allowed claim(s) is/are 2-18 (now 1-17).
3. ☒ The drawings filed on 04 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20040913</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Examiner's Amendment/Comment

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Examiner's Amendment/Comment".

An examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Joan Pennington (Reg #30,885) on September 13, 2004.

1. Please cancel claim 1

2. In regards to claim 4, please amend to:

A method for implementing coexistence and cooperation between system firmware and debug code in a test system comprising the steps of:

providing a service processor for storing a system firmware for implementing system firmware test functions;

providing said service processor coupled to a machine under test for sending said system firmware test functions to said machine under test and receiving test data from said machine under test;

providing a host computer for storing a bring-up tool for implementing bring-up tool debug test functions;

providing said host computer coupled to said service processor for sending said bring-up tool debug test functions to said machine under test and receiving test data from said machine under test;

starting said system firmware test functions without user intervention on initial power-on routine of the machine under test;

receiving a user request with said host computer and notifying said service

Art Unit: 2113

processor;

starting said bring-up tool debug test functions responsive to said user request; and
identifying a failure in said machine under test with said system firmware test functions,
stopping said system firmware test functions, and notifying said host computer.

3. In regards to claim 12,
please change “predefined” to “system firmware” (see line 3 of claim)
please change “sending system” to “sending said system” (see line 5 of claim)
please change “implementing debug” to “implementing bring-up tool debug” (see
line 8 of claim)

please change “sending bring-up” to “sending said bring-up” (see line 9 of claim)

3. In regards to claim 18,
please change “sending system” to “sending said system” (see line 10 of claim)
please change “starting said bring-up” to “starting bring-up”(see line 14 of
claim).

please change “sending bring-up” to “sending said bring-up” (see line 16 of
claim)

Examiner's Statement of Reason for Allowance

Claims 2-18 (now 1-17) are allowable over the prior art of records.

The following is an Examiner's statement of reasons for the indication of allowable
subject matter: Claims 4,12, and 18 are allowable over the prior art of record because the
Examiner found neither prior art cited in its entirety, nor based on the prior art, found any
motivation to combine any of the said prior arts.

The primary reason for allowance for claim 4,12, and 18 is the inclusion of sending said
system firmware test functions to said machine under test, starting bring-up tool debug test

Art Unit: 2113

functions responsive to said user request, and identifying a failure in said machine under test with said system firmware test function, stopping said system firmware test functions, and notifying said host computer in conjunction with the rest of the limitation set forth in the claim.

The remaining claims, not specifically mentioned, are allowed because they are dependent upon one of the claim mentioned above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emerson C Puente whose telephone number is (703) 305-8012. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. The examiner will be moving in October 2004. The examiner number at the new site is (571) 272-3652. The examiner can normally be reached on 8-5 M-F.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5631.

Emerson Puente
9/13/04


ROBERT BEAUSOLIEL
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